

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DANIEL L. MEIER,

Plaintiff,

v.

Case No. 07-11410

ROBERT L. GREEN,

Defendant.

**ORDER GRANTING DEFENDANT’S MOTION TO COMPEL AND
DIRECTING PLAINTIFF TO APPEAR WITH DOCUMENTS FOR AN EXAMINATION**

On February 13, 2008, Defendant Robert L. Green filed a “Motion to Compel Examination of Judgment Debtor.” After reviewing Defendant’s motion and supporting brief, the court was inclined to grant the motion and thus ordered Plaintiff to show cause why the motion should not be granted. Rather than respond to the court’s order, Plaintiff instead filed a notice of appeal, in which he suggests that the court lacks jurisdiction to order Plaintiff to attend a judgment debtor examination. Because Plaintiff has failed to cite any authority, the court is at a loss to decipher his reasoning for this position. Indeed, the court has the authority to order an examination pursuant to Federal Rule of Civil Procedure 69(a), which specifically allows that discovery may be

taken from the judgment debtor in aid of the execution of the judgment.¹ Plaintiff has not shown any reason to deny Defendant's well supported motion, nor has Plaintiff objected to the proposed deposition date of March 18, 2008. Accordingly,

IT IS ORDERED that Defendant's "Motion to Compel Examination of Judgment Debtor" [Dkt. # 46] is GRANTED.

IT IS FURTHER ORDERED that Plaintiff appear for deposition before an officer authorized to administer oaths,² on **March 18, 2008 at 1:30 p.m.** at the Theodore Levin United States Courthouse, 231 W. Lafayette Boulevard, Room 713, Detroit, Michigan 48226.

IT IS FURTHER ORDERED that Plaintiff to produce at the deposition copies of the following documents:

1. All wage stubs, tax returns, or any other records of earnings and income, for the period January 1, 2005 to the present.
2. All documents showing monthly expenses, including cancelled checks, paid bills, rent or other proof of expenses for the period January 1, 2005 to the present.
3. Bank books, check registers, bank statements, credit card statements, IRA account records, brokerage statements, mutual fund statements and all other similar records, for the period January 1, 2005 to the present.

¹To the extent that Plaintiff believes his many notices of appeal divest this court of jurisdiction to enforce its judgments, such is not the case. "Although a district court may not alter or enlarge the scope of its judgment pending appeal, it does retain jurisdiction to enforce the judgment." *City of Cookeville, Tenn. v. Upper Cumberland Elec. Membership Corp.*, 484 F.3d 380, 394 (6th Cir. 2007) (quoting *NLRB v. Cincinnati Bronze, Inc.*, 829 F.2d 585, 588 (6th Cir. 1987)).

²Defendant shall arrange for the appearance of such an officer.

4. Leases, mortgages, deeds and land contracts for the period January 1, 2005 to the present.
5. All documentation relating to any mortgage application or refinancing since January 1, 2005.
6. All documentation relating to computer equipment, automobiles, tools, restoration equipment and all other personal property owned by Plaintiff.
7. All documentation relating to any additions to or remodeling of Plaintiff's primary residence, in excess of \$1,000, and any financing related to such additions or remodeling for the period January 1, 2005 to the present.
8. All homeowner's and automobile insurance policies and all riders to the policies for the period January 1, 2005 to the present.
9. All documentation relating to the assets of North American Supercar, L.C., including, but not limited to bank statements, automobiles, tools and restoration equipment.
10. All documentation relating to the financing of North American Supercar, L.C.
11. All documentation relating to the monthly expenses of North American Supercar, L.C.
12. All tax returns and any other records of earnings and income for North American Supercar, L.C., for the period January 1, 2005 to the present.
13. Any other documentation relating to Plaintiff's current assets and expenses.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 27, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 27, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522